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RHMFIUU/US CUSTOMS AND BORDER PROTECTION WASHINGTON DC  
RHMFIUU/DEPT OF HOMELAND SECURITY WASHINGTON DC  
RUEAORD/BICE ASAC JFK NEW YORK NY  
RHMFIUU/HQ BICE WASHINGTON DC  
RHMFIUU/HOMELAND SECURITY CENTER WASHINGTON DC

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STATE FOR EUR/PPD AND EUR/NB; CA/VO/P AND CA/VO/F/P  
COPENHAGEN FOR DHS: KLUGMAN

E.O. 12958: N/A

TAGS: [CVIS](#) [KHLs](#) [PREL](#) [KPAO](#) [IC](#)

SUBJECT: ICELANDIC TRAVELER DETAINED BY DHS IN NEW YORK CREATES  
MEDIA FIRESTORM; FOREIGN MINISTER CALLS IN AMBASSADOR

¶1. Summary: Erla Osk Arnardottir, an Icelandic women traveling to New York for holiday shopping, was detained in New York December 9-10 by the Department of Homeland Security for a Visa Waiver Program violation. She was returned to Iceland on the next available flight after spending the night in a jail-like detention facility and being transported to and from the airport in shackles and chains. When she returned home, Ms. Arnardottir posted her unpleasant experiences on a local blog, which was immediately picked up by the media. With the press railing for action, the Minister of Foreign Affairs called the Ambassador into her office today to ask for an official apology. (reported SEPTEL) End Summary.

¶2. Erla Osk Arnardottir left Keflavik Sunday evening December 9 in the first class cabin of a New York-bound flight. Upon her arrival at JFK she proceeded to Customs and Border Protection (CBP) control where, after her documents were checked, she was removed to a secondary area. CPB authorities told post that Ms. Arnardottir was denied entry under into the United States under the Visa Waiver Program because she had overstayed her visa by three weeks in December 1994. Ms. Arnardottir claims that she had entered the United States several times under the VWP after the 1994 overstay without hinderance, and that she did not know and was never informed that she needed to apply for a visa to travel the U.S.

¶3. According to CBP authorities, contacted by the Embassy, Ms. Arnardottir was held in the secondary investigation area of JFK for several hours and then transferred to a temporary holding cell for two additional hours. Since the next available return flight to Iceland was not until the evening of the next day (8:00 pm, December 10), Ms. Arnardottir was then transferred to the custody of the Detentions and Removal Operations Office (DRO) of the Immigration and Custom Enforcement (ICE) for overnight detention. According to Ms. Arnardottir, her legs were chained and hands cuffed before she was transported to a detention facility in New Jersey. At the detention facility, Ms. Arnardottir reported that she was fingerprinted, photographed, medically examined, physically searched, asked highly personal questions and placed in a jail cell for the rest of the night. Although promised the use of a phone and the opportunity to contact Icelandic consular officials, her subsequent requests to do so were denied. The next day she was transported back to the airport embarkation area in chains and handcuffs, and not freed until she arrived at the Icelandair gate.

¶4. The day after her return to Iceland (December 11), Ms. Arnardottir posted her unpleasant experience on her blogg site, and within hours over 100 people had responded with words of encouragement (for her) and anger (towards the U.S.). The Icelandic media picked up the story December 12 and asked the Embassy for

comment. Post drafted a press statement that was released to the media. Our Consular Officer contacted post's DHS representative in Copenhagen and checked the Consular Data base to find out more information on the case.

15. On December 13, Iceland's paper of record, Morgunbladid, carried a front page headline and teaser, along with a full page article on Ms. Arnardottir's detention. The paper also printed the Embassy's statement. The paper's lead editorial, entitled "Police State?," harshly criticized the United States in scathing terms and called for the Icelandic Foreign Minister to demand an apology from Secretary Rice.

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16. Post followed up with the DHS representative in Copenhagen today to identify CPB officials at JFK to contact to find out more information. Post alerted Consular Affairs and the NB desk of the incident. Post spoke with CBP officials in Washington and is trying to contact officials at the New Jersey detention center and officials from DRO.

17. The Foreign Minister called the Ambassador to the Ministry today to express outrage and ask for an official apology (SEPTEL). Media interest in the matter continues to be intense. We need to provide an official authoritative report to the GOI. Post thanks US agencies for their help and seeks further input from pertinent authorities to get this information to GOI as quickly as possible.

van Voorst